

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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UNIVERSITAS EDUCATION, LLC,

Judgment Creditor,	:	Case Nos. 11-1590-LTS-HBP and 11-8726-LTS-RLE
-against-	:	UNIVERSITAS EDUCATION, LLC'S NOTICE OF MOTION AND MOTION IN LIMINE
NOVA GROUP, INC., as trustee, sponsor and fiduciary of THE CHARTER OAK TRUST WELFARE BENEFIT PLAN,	:	
Judgment Debtor.	:	

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PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, dated May 10, 2013, and the accompanying Declaration of Michael Barnett, and Exhibit thereto, dated May 10, 2013, Petitioner/Judgment Creditor Universitas Education, LLC ("Universitas"), by its attorneys Loeb & Loeb LLP, hereby moves this Court before the Hon. Laura Taylor Swain, at the United States Courthouse located at 500 Pearl Street, New York, NY 10007, for an Order denying the Moonstone Respondents' request to seek the testimony of Universitas' counsel at an evidentiary hearing on Universitas' turnover motion.¹

Universitas, through its undersigned counsel, certifies that pursuant to the Court's Individual Practice Rules it has used its best efforts to informally resolve the matters raised in this motion, and further states that it is filing this motion pursuant to the Court's Order issued orally during a May 9, 2013 hearing in this case.

Pursuant to the Court's Order, any answering papers to this Motion must be served by Friday, May 17, with any Reply due May 21.

¹ Universitas styles this as a motion *in limine* because the Moonstone Respondents seek to call Bryan Reyhani as a witness at an evidentiary hearing and have not subpoenaed him. This motion could also be alternately viewed as a motion for a protective order.

Dated: New York, New York
May 10, 2013

LOEB & LOEB LLP

By: 

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